

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FELIX WALLS,

Plaintiff,

Case No. 09-13006

v.

Honorable Patrick J. Duggan

ERIC HOLDER, ET. AL,

Defendant.

ORDER DISMISSING PLAINTIFF'S PETITIONS

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on October 13, 2009.

PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

Plaintiff, a federal prisoner, filed a *pro se* petition for a writ of mandamus pursuant to 28 U.S.C. § 1361 on July 29, 2009. Petitioner neither paid the filing fee for a civil action (\$350.00) nor applied in the manner required by law to proceed in forma pauperis. Therefore, on August 25, 2009, this Court issued an Order of Deficiency for Prisoner Civil Action, directing Plaintiff to pay the filing fee or file the documents required under 28 U.S.C. § 1915(a)(2) to proceed without prepayment of fees and costs within thirty (30) days from the date of the order.

As of this date, Plaintiff has neither paid the filing fee nor submitted the necessary documentation to apply to proceed without prepayment of fees and costs. Plaintiff did

file a “First Amendment Petition” and “Motion to Serve Judicial Notice” on September 10, 2009. Neither submission, however, addresses the Court’s Order of Deficiency or provides the information required under § 1915(a)(2). As Plaintiff was informed in the Order of the Court’s requirements, the Court is therefore presuming he is not proceeding in forma pauperis, is assessing the entire filing fee, and is ordering the case dismissed for want of prosecution.

Accordingly,

IT IS ORDERED, that Plaintiff’s Petition for a Writ of Mandamus and First Amendment Petition are **DISMISSED**.

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copy to:
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